

SEP 28 2007

<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8</b> I hereby certify that this correspondence, totaling 22 pages including rected attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date: Date: <u>September 28, 2007</u> Name: <u>Beverly M. Little</u> Signature: <u>Beverly M. Little</u>	
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**BRINKS  
HOFFER  
GILSON  
& LIONE**
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
In re Appln. of: **SCOTT E. BOATMAN ET AL.**Appln. No.: **10/813,415**Filed: **03/30/2004**For: **MEDICAL DEVICE INCLUDING UNITARY,  
CONTINUOUS PORTION OF VARYING  
DUROMETER**Attorney Docket No: **8627-453 (PA-5259-RFB/DIV)**Examiner: **Suzanne E.  
McDowell**Art Unit: **1732**
 Mail Stop Amendment  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

**TRANSMITTAL**
**Attached is/are:**

- ☒ Reply Under 37 C.F.R. § 1.111  
☐ Return Receipt Postcard.

**Fee calculation:**

- ☐ No additional fee is required.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☒ An additional filing fee has been calculated as shown below:


					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	40	Minus	41	0	x \$25=			x \$50=	
Indep.	11	Minus	3	8	x 100=			x \$200=	1600
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$1600

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☒ Please charge Deposit Account No. 23-1925 in the amount of \$1600. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

 September 28, 2007  
 Date

Respectfully submitted,

  
 Bonnie R. Shaw (Reg. No. 60,493)

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**SEP 28 2007**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: SCOTT E. BOATMAN ET AL.

Appln. No.: 10/813,415

Filed: 03/30/2004

For: MEDICAL DEVICE INCLUDING  
UNITARY, CONTINUOUS  
PORTION OF VARYING  
DUROMETERExaminer: Suzanne E.  
McDowell

Art Unit: 1732

Attorney Docket No: 8627-453 (PA-5259-RFB/DIV)**REPLY UNDER 37 C.F.R. §1.111**

In response to the Office Action mailed 06/28/2007, Applicant respectfully submits this paper comprising the following parts:

- I. **Listing of Claims**, beginning on page 2;
- II. **Amendments to the Specification**, beginning on page 15; and
- III. **Remarks**, beginning on page 19.

Applicants note that the Transmittal to which this paper is attached includes a Certificate under 37 C.F.R §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.

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ALONE